

DOCKET NO: 275730US6PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : DATE ALLOWED: MARCH 9, 2010  
TOSHIHIRO MORITA, ET AL. : EXAMINER: CHEN, T.  
SERIAL NO: 09/889,023 :  
FILED: JANUARY 10, 2002 : GROUP ART UNIT: 2161  
FOR: INFORMATION PROCESSING :  
APPARATUS AND METHOD, AND  
PROGRAM STORAGE MEDIUM

PETITION UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants herein petition the Commissioner to invoke his supervisory authority to require the examiner to consider all of the references cited in the Information Disclosure Statement filed on July 10, 2001 in this allowed application.

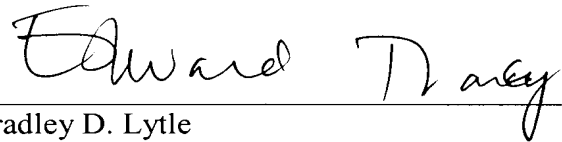
An Information Disclosure Statement in conformity with the requirements of 37 C.F.R. §1.97-1.98 was filed on July 10, 2001 via U.S. Express Mail. Copies of the Information Disclosure Statement, the date-stamped customer copy of the mailing receipt, and a card containing a list of the mailed items are attached. References AS and AT cited in the Information Disclosure Statement were never acknowledged or made of record by the examiner. However, according to a Notice of Acceptance of Application dated November 10, 2000, the U.S.P.T.O. received a copy of the International Search Report which contains the above-noted 2 references, as shown in the U.S.P.T.O. PAIR page.

In accordance with MPEP §609.04(a), where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report. As the International Search Report provides an "X", "Y", or "A" indication for references AS and AT, consideration of references AS and AT is respectfully requested.

Although Applicants do not believe that any fee is required for the present petition, any required fee should be charged to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.



Bradley D. Lytle  
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Registration No. 40,073

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09/889023

18 Rec'd PCT/PTO 1 0 JUL 2001  
450101-02844

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : MORITA, et al.  
Int'l Appln. No. : PCT/JP00/07967  
Int'l Filing Date : November 10, 2000  
Title of Invention : INFORMATION PROCESSING APPARATUS  
AND METHOD, AND PROGRAM STORAGE  
MEDIUM

745 Fifth Avenue  
New York, NY 10151

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Date of Deposit: July 10, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents Washington, DC 20231.

*Edward Nay*

(Typed or printed name of person mailing paper or fee)

*[Signature]*

(Signature of person mailing paper or fee)

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed are copies of the publications which were cited in the International Search Report of International Application No. PCT/JP00/07967. Also enclosed is a copy of Form PTO-1449 and the International Search Report.

**COPY**

**REMARKS**

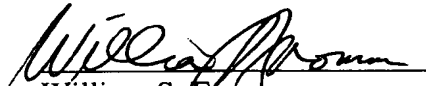
Entry of this Information Disclosure Statement and an early examination on the merits are respectfully solicited.

Please charge any additional fees to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:

  
William S. Frommer  
Reg. No. 25,506  
(212) 588-0800

WSF/dds  
Enclosures

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09/889023

AC18 PCT/PTO 1 0 JUL 2001

Based on Form PTO-1449 (3/90)				ATTY. DOCKET NO. 450101-02844		SERIAL NO.	
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)				APPLICANT Morita, et al.			
				FILING DATE		GROUP 2161	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
SC	AK	10-161679	06/19/98	Japan			✓
	AL	<del>9-212181</del>	<del>08/13/97</del>	<del>Japan</del>			✓
SC	AM	11-52965	02/26/99	Japan			✓
	AN						
	AO						
	AP						
	AQ						
	AR						
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AS	Nikkei Electronics, Vol. 730, "Kogata Memory Card de Ongaku Chosakuten wo manau," 22 March, 1999, pp. 49-53.					
	AT	Nikkei Electronics, Vol. 738, "Ongaku Haishin Mada nashi," 08 March 1999, pp. 87-111.					
EXAMINER /Te Chen/				DATE CONSIDERED 05/17/2006			
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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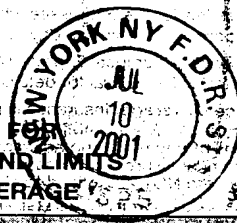
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Mailed July 10, 2001  
Express Mail Label No EL 74269146045

Serial No. \_\_\_\_\_ File No. 450101-02844 By WSF/dls  
Title In the Matter of the Application of Information Processing Apparatus and Method  
The following due 7/12/01 in the U.S. Patent Office, was received in the Patent Office  
☐ Affidavit ☐ Declaration ☒ Express Mail Mailing Certificate  
☒ Amendment ☒ (separate sheet)  
☒ Preliminary Amendment ☒ Check No. 16334 for \$ 1,288.00  
☐ Amendment After Final Rejection ☐ Deposit Account Order Form  
☐ Request for Extension of Time ☒ Drawing 45 Sheet(s)  
☐ Provisional Patent Application ☒ Information Disclosure Statement  
☐ Application for Patent, including 1 page Abstract ☒ PTO Form 1449, and references  
☒ 26 Pages Specification 26 Claims ☐ Issue Fee Transmittal  
☐ Declaration ☐ Oath ☐ Power ☐ Brief ☐ Letter  
☐ Request for Filing Continuation or Divisional ☐ Application for TM Registration  
Application \_\_\_\_\_ sheets, in duplicate Including \_\_\_\_\_ Specimens  
☐ File Wrapper Continuation Patent Application ☐ Status Request ☐ Notice of Appeal  
\_\_\_\_\_ sheets, in duplicate ☐ Petition ☐ Response  
☐ PCT Request \_\_\_\_\_ sheets, including ☐ Priority Document  
☒ Transmittal Letter to the US/RO ☐ Small Entity Declaration  
☐ Assignment ☐ Recordation Cover Sheet ☒ PCT/RO/101, PCT/EP/A210,  
PCT/IB/301, 302, 304

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Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/889,023	Toshihiro Morita	450101-02844

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/JP00/07967

LA. FILING DATE	PRIORITY DATE
11/10/2000	11/12/1999

William S Frommer  
Frommer Lawrence & Haug  
745 Fifth Avenue  
New York, NY 10151

CONFIRMATION NO. 4611

371 ACCEPTANCE LETTER



\*OC000000007339280\*

Date Mailed: 01/31/2002

### NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.494 OR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated Office (37 CFR 1.494), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

01/10/2002  
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
(c)(4) REQUIREMENTS

01/10/2002  
DATE OF RECEIPT OF ALL 35 U.S.C.  
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** *The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363).* Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- U.S. Basic National Fee
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

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## INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP00/07967

## A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl.<sup>7</sup> G10K15/02, G06F3/00, 17/60, G11B27/00, 27/10

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl.<sup>7</sup> G10K15/02, 15/04

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho 1922-1996 Toroku Jitsuyo Shinan Koho 1994-2001  
 Kokai Jitsuyo Shinan Koho 1971-2001 Jitsuyo Shinan Toroku Koho 1996-2001

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

JICST FILE (JOIS), INSPEC (DIALOG), WPI (DIALOG),  
 IEEE Electronic Library Online

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	JP, 10-161679, A (Taito Corporation), 19 June, 1998 (19.06.98),	1-5, 10-14, 16-17, 20-40
Y	Full text, all drawings (Family: none)	6, 8-9, 15, 18-19
A		7
X	JP, 9-212181, A (Victor Company of Japan, Limited), 15 August, 1997 (15.08.97),	1-5, 10-14, 16-17, 20-40
Y	Full text, all drawings (Family: none)	6, 8-9, 15, 18-19
A		7
⇒ Y	Nikkei Electronics, Vol.739, "Kogata Memory Card de Ongaku Chosakuken wo mamoru," 22 March, 1999 (22.03.99), pp.49-53	6
Y	JP, 11-52965, A (Daiichi Kosho K.K.), 26 February, 1999 (26.02.99), Full text, all drawings (Family: none)	8-9, 15, 18-19
⇒ A	Nikkei Electronics, Vol.738, "Ongaku Haishin Matta nashi," 08 March, 1999 (08.03.99), pp.87-111	1-40

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

\* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance  
 "E" earlier document but published on or after the international filing date  
 "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  
 "O" document referring to an oral disclosure, use, exhibition or other means  
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- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  
 "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  
 "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art  
 "&" document member of the same patent family

Date of the actual completion of the international search  
 25 January, 2001 (25.01.01)

Date of mailing of the international search report  
 06 February, 2001 (06.02.01)

Name and mailing address of the ISA/  
 Japanese Patent Office

Authorized officer

Facsimile No.

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01-30-2004	1449	considered by examiner	PRIOR ART	1
01-23-2004	SRNT	Examiner's search strategy and results	PROSECUTION	5
01-23-2004	SRNT	Examiner's search strategy and results	PROSECUTION	6
12-16-2002	IDS	Information Disclosure Statement (IDS) Filed (SB/08)	PROSECUTION	2
12-16-2002	NPL	NPL Documents	PRIOR ART	1
12-16-2002	NPL	NPL Documents	PRIOR ART	1
01-31-2002	M903	Notice of DO/EO Acceptance Mailed	PROSECUTION	2
01-10-2002	ABST	Abstract	AS FILED	1
01-10-2002	LET.	Miscellaneous Incoming Letter	AS FILED	142
01-10-2002	LET.	Miscellaneous Incoming Letter	PROSECUTION	3
01-10-2002	BIB	Bibliographic Data Sheet	PROSECUTION	1
01-10-2002	OATH	Oath or Declaration filed	PROSECUTION	4
09-04-2001	M905	Notice of DO/EO Missing Requirements Mailed	PROSECUTION	1
07-10-2001	IIFW	Issue Information including classification, examiner, name, claim, renumbering, etc.	PROSECUTION	1
07-10-2001	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
07-10-2001	FWCLM	Index of Claims	PROSECUTION	1
07-10-2001	TRNA	Transmittal of New Application	PROSECUTION	2
07-10-2001	136A	Authorization for Extension of Time all replies	PROSECUTION	2
07-10-2001	DRW	Drawings-only black and white line drawings	PROSECUTION	45
07-10-2001	SPEC	Specification	PROSECUTION	75
07-10-2001	CLM	Claims	PROSECUTION	7
07-10-2001	ABST	Abstract	PROSECUTION	1
07-10-2001	BIB	Bibliographic Data Sheet	PROSECUTION	1
07-10-2001	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1
07-10-2001	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1
07-10-2001	WCLM	Claims Worksheet (PTO-2022)	PROSECUTION	1
07-10-2001	IMIS	Miscellaneous Internal Document	PROSECUTION	1
07-10-2001	A.PE	Preliminary Amendment	PROSECUTION	1
07-10-2001	CLM	Claims	PROSECUTION	5
07-10-2001	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1
07-10-2001	IDS	Information Disclosure Statement (IDS) Filed (SB/08)	PROSECUTION	3
07-10-2001	NPL	NPL Documents	PRIOR ART	5
07-10-2001	NPL	NPL Documents	PRIOR ART	26
07-10-2001	NPL	NPL Documents	PRIOR ART	4
07-10-2001	371P	Documents submitted with 371 Applications	PROSECUTION	206
07-10-2001	FRPR	Certified Copy of Foreign Priority Application	PROSECUTION	58
07-10-2001	FOR	Foreign Reference	PRIOR ART	8
07-10-2001	FOR	Foreign Reference	PRIOR ART	12
07-10-2001	FOR	Foreign Reference	PRIOR ART	14

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